

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

-v-

No. 13-CR-271-LTS

ALSHAQUEN NERO,

Defendant.

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MEMORANDUM ORDER

The Court has received Defendant Alshaquen Nero's pro se motion for release to home confinement pursuant to 18 U.S.C. § 3624(c)(2) and for a reduction in sentence pursuant to 18 U.S.C. § 3582(c)(1)(A). (Docket Entry No. 964.) The Court does not have authority to direct the release of an inmate to home confinement pursuant to 18 U.S.C. § 3624(c)(2). Applications under that provision must be directed to the Bureau of Prisons ("BOP"). While the Court does have authority to entertain sentence reduction applications pursuant to 18 U.S.C. § 3582(c)(1)(A), that statute requires an application to the BOP in the first instance. Mr. Nero's letter motion provides no indication that he has exhausted his administrative remedies with the BOP. See 28 C.F.R. § 542.15 (setting forth process for appealing BOP decision); see also 18 U.S.C. 3582(c)(1)(A) (requiring defendant to request sentence reduction from BOP before filing motion with the Court). Therefore, Defendant's motion is denied without prejudice. Docket Entry No. 964 is resolved. Chambers will mail a copy of this order to Mr. Nero.

SO ORDERED.

Dated: New York, New York
May 27, 2020

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge

Copy mailed to:

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